

EXHIBIT A

Stephanie Wedra - August 20, 2020

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 CASE NO: 19-CV-3162-VB
4

5 -----
6 STEPHANIE WEDRA, on behalf
7 Of herself and all others
8 Similarly situated,
9 Plaintiff,

10 -vs-

11 CREE, INC.,
12 Defendant.
13 -----

14
15 REMOTE VIDEOTAPED DEPOSITION OF
16 STEPHANIE WEDRA
17 August 20, 2020 - 10:00 A.M. EDT
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25 JOB NO. 2020-89109

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AUGUST 20, 2020

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10:00 A.M. EDT

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REMOTE VIDEOTAPED DEPOSITION of STEPHANIE

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WEDRA, before S. Arielle Santos, Certified Court

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Reporter, Certified LiveNote Reporter and Notary

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Public.

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REMOTE APPEARANCES:

COUNSEL FOR PLAINTIFF:

BY - JASON SULTZER, ESQ.

BY - JEREMY FRANCIS, ESQ.

THE SULTZER LAW GROUP, PC

85 Civic Center Plaza, Suite 200

Poughkeepsie, NY 12601

845-244-5595

COUNSEL FOR DEFENDANT:

BY - REBECCA LINDAHL, ESQ.

BY - MICHAELA HOLCOMBE, ESQ.

KATTEN MUCHIN ROSENMAN LLP

550 South Tryon Street, Suite 2900

Charlotte, NC 28202-4213

BY - CHARLIE DEVORE, ESQ.

KATTEN MUCHIN ROSENMAN LLP

525 West Monroe Street

Chicago, IL 60661-3693

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REMOTE APPEARANCES (Cont.):

ALSO PRESENT:

ALLYSON VAN GORDER, CREE

MELISSA GARRETT, CREE

KALEY WORONICZ, Document Technician

JEREMY LEMASTER, Lexitas Videographer

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2 A Let's see. At the end --
3 end of December 2019. So I started
4 end of December.

5 Q Okay.

6 Before the end of December
7 of 2019, were you employed?

8 A No.

9 Q Okay.

10 When is the last time
11 before December of 2019 that you were
12 employed?

13 A Last time I was employed
14 was at the Board of Elections in
15 Westchester County.

16 Q And when was that?

17 A 2011.

18 Q And what was your role at
19 the Board of Elections?

20 A I was a -- well, it's
21 called a program specialist.

22 Q And just to clarify, you
23 say 2011. Was that when you left the
24 Board of Elections?

25 A Yes. That's when they --

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2 testified that you decided to try the
3 LED light bulbs.

4 Why did you decide to try
5 LED light bulbs?

6 A Well, I never tried them
7 in the past myself, and everyone kept
8 talking about, Oh, you should get the
9 LED, they last longer. You know, they
10 are a little more expensive, but they
11 last longer.

12 And you know, I was always
13 used to using the regular light bulbs
14 and, you know, Mom likes to use LED
15 light bulbs. So I said, Okay, let me,
16 you know, let me look into it and see
17 what it is all about.

18 Q Before you went to Home
19 Depot that day and purchased Cree LED
20 light bulbs, what brands of LED light
21 bulbs were you familiar with?

22 A Me? I don't know. I
23 mean, my mom had used some. Mostly I
24 use -- I use the regular ones. But I
25 don't know what she used. I will be

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2 A I'm sorry. Say that
3 again. You broke up a little bit.

4 Q At that time, in the
5 summer of 2018, was your mother living
6 with you?

7 A I was living with her, so,
8 yeah. We were living together.

9 Q Okay.
10 Did she already own LED
11 light bulbs as of the summer of 2018
12 in her home?

13 A I am not -- I am not sure.
14 I am not sure.

15 Q But you personally had
16 never bought LED light bulbs before
17 the summer of 2018?

18 A Correct.

19 Q Did you do any research
20 about LED light bulbs before you went
21 to Home Depot in the summer of 2018
22 and bought Cree light bulbs?

23 A Well, actually I did. I
24 said, all right, let me get on the
25 bandwagon and see what this LED light

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2 walking straight, you're walking in to
3 an aisle, so to speak, and then they
4 are on the left side. They take up
5 the entire left side of the aisle.

6 Q Do you recall where on the
7 shelf the Cree light bulbs that you
8 purchased were?

9 Were they high up or in
10 the middle or towards the floor?

11 A No. I don't -- I mean, I
12 don't --

13 THE WITNESS: You froze up.

14 (Whereupon a Discussion is
15 Held Off the Record.)

16 BY MS. LINDAHL:

17 Q You included in your
18 interrogatory answers and your
19 Complaint that you believe you paid
20 between \$10 and \$20 for the light
21 bulbs.

22 Do you have any more
23 specific memory than that of what you
24 paid for the three light bulbs that
25 you allege you purchased in the early

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2 summer of 2018?

3 A No. No. Yeah. It was
4 between 10 and 20. Because, you know,
5 I don't know exactly.

6 Q And did you testify
7 earlier that you don't know how you
8 paid for your purchases at Home Depot
9 that day?

10 A No. No. I think I paid
11 cash, I will be honest, because I was
12 looking for some proof of payment and
13 I couldn't find anything. So
14 sometimes I would go, you know, as
15 everyone does, pay cash occasionally.
16 So I had to have paid cash for it.

17 Q What did you do to look
18 for proof of payment?

19 A Excuse me? Repeat that.

20 Q What did you do -- sure.
21 What did you do to look
22 for proof of payment?

23 MR. SULTZER: Just
24 objection. I mean, we went over
25 this at great length earlier.

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2 lawsuit?

3 A Yes. Yes. Because at
4 that point -- said, let me see if I
5 could find some, you know, documents
6 to prove, you know, that what I am
7 saying is true, you know, from hard
8 documents.

9 Q And you weren't able to
10 find any hard document to prove that
11 what you are saying is true?

12 A No.

13 Q Do you have a specific
14 memory of paying cash at The Home
15 Depot for Cree light bulbs, or are you
16 assuming that you paid cash because
17 you couldn't find any document that
18 showed that you paid with your card?

19 A No. I mean, sometimes
20 I -- you know, when I go shopping, I
21 would pay with cash, you know. For
22 the most part, I don't really like to
23 use my debit card much, so I just had
24 some cash, so...

25 Q So are you assuming that

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2 you paid with cash because you didn't
3 find a debit card purchase at The Home
4 Depot --

5 (Simultaneous Crosstalk.)

6 A No.

7 Q -- during the summer of
8 2018?

9 I'm sorry. What was your
10 answer?

11 A No.

12 Q My question is, do you
13 specifically remember paying cash for
14 this transaction or are you assuming
15 that you paid cash because you
16 couldn't find a corroborating debit
17 card transaction? Can you answer that
18 question?

19 A Yes. I had to pay cash,
20 yes.

21 Q When you say you "had to
22 pay cash," do you -- are you trying to
23 say you assume you paid cash because
24 you can't find a debit card
25 transaction?

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2 A No. No. I was looking
3 for the transaction, just had -- I
4 mean, you pay cash, I have no hard
5 copy. I don't have the receipt. So I
6 was looking for -- okay, well, maybe I
7 did it through a debit card, you know.

8 But most of the time back
9 then I -- I paid cash, you know, if I
10 have cash, I would use cash, I mean...

11 If my mother gave me cash
12 to go shopping, I would use cash. You
13 know what I am saying? So...

14 Q I just -- I need to be
15 specific with my questions. I am
16 going to try one more time.

17 You allege that you bought
18 Cree light bulbs from The Home Depot
19 in Yonkers in early summer 2018,
20 correct?

21 A Yes.

22 Q And you reviewed your
23 personal bank statements to look for a
24 Home Depot transaction in the early
25 summer of 2018, correct?

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2 A Yes.

3 Q And you did not find one,
4 correct?

5 A Correct.

6 Q And because you did not
7 find one, you concluded that you must
8 have paid cash, correct?

9 A Well, I had to pay cash.
10 I mean, what other way would I have
11 purchased the light bulbs? I mean, do
12 you remember every store you go in if
13 you pay cash or -- you know. In the
14 same day, someone could pay cash and
15 use a card at the same time, right?
16 So...

17 Q But you don't specifically
18 remember being at a cash register at
19 The Home Depot in Yonkers, New York,
20 and handing the cashier cash for these
21 specific light bulbs, correct?

22 A No. I mean, but I had to
23 have paid cash because I do not have a
24 record of it. I mean, do I -- I mean,
25 do you remember when you went to a

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2 store last year and you may have paid
3 cash? Do you remember everywhere you
4 handed a person cash?

5 I went shopping last week
6 and paid cash for something, right?
7 But do I remember exactly the time,
8 the date -- and that's, you know,
9 so --

10 (Simultaneous Crosstalk.)

11 Q Did --

12 A -- I had to have paid cash
13 for it.

14 Q Apologies. I didn't mean
15 to speak over you.

16 Did you just testify that
17 your mother would sometimes give you
18 cash to go shopping?

19 A Yes.

20 Q And that was true in the
21 summer of 2018?

22 A Yes. Sometimes she would
23 -- she would give me cash to do some
24 shopping.

25 Q And if you were going to

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2 The Home Depot to purchase home
3 improvement items in the summer of
4 2018, those would be home improvement
5 items that would be used at your
6 mother's home; is that correct?

7 A Yes.

8 MS. LINDAHL: I realize I'm
9 getting close to the point where
10 we might take a break. I am
11 getting close to finishing up a
12 category, so let's keep going
13 for a couple of minutes unless
14 anybody is -- is very
15 uncomfortable.

16 MR. SULTZER: We are going
17 to have to take a one-minute --
18 actually two-minute break, and
19 then we can jump back on.
20 Because we are going to
21 reposition the phone because we
22 are getting some more static.
23 So we are going to hang up and
24 then we're going to call you
25 back.

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2 you purchased these Cree light bulbs
3 in early summer of 2018.

4 After you purchased them,
5 did you install them in the
6 condominium that your mother
7 subsequently sold?

8 A Yes.

9 Q And with respect to the
10 A-Type lamps, can you -- you purchased
11 two, correct?

12 A Of the A-Type?

13 Q Hm-hm.

14 A Yes.

15 Q And can you please
16 describe the fixtures into which you
17 installed the two 60-watt A-Type
18 lamps?

19 A If they were in -- well, a
20 single bulb lamp in the bedroom.

21 Q In whose bedroom?

22 A In Mom's bedroom.

23 Q In your mother's bedroom?
24 Okay.

25 What was the unit of your

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2 your mother ever had any issues in her
3 condominium with water intrusion or
4 moisture?

5 A With water and moisture?

6 Q Water intrusion or
7 moisture?

8 A No. I don't recall any.

9 Q With respect to the two
10 lamps in your mother's bedroom, how
11 many hours a day were those lamps
12 turned on?

13 A I would say a few hours,
14 you know, when she's going to bed, you
15 know, before -- maybe few hours a day.

16 Q With respect to the
17 downlight, how many hours a day was
18 that light turned on?

19 A That light, you know,
20 kitchen lights, a few -- a few hours a
21 day.

22 Q Who paid the power bill at
23 your mom's condominium?

24 A My mom.

25 Q Who was her electricity

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2 A Yes. I saw it online.

3 Q What did you see online?

4 A Well, when I'm speaking
5 about doing, you know, getting an LED
6 bulb, I saw -- you know, I did a
7 search on Google, and I saw Cree. And
8 then after, you know -- I like I said,
9 I don't know any of the sites, but I
10 did check to see if Home Depot had
11 carried it.

12 Q Okay.

13 What -- other than what
14 you saw online, had you ever
15 physically looked at a Cree LED light
16 bulb or its packaging before you went
17 to The Home Depot and purchased Cree
18 LED light bulbs in the early summer of
19 2018?

20 A Yes. Yeah.

21 Q In the summer of 2018,
22 around the time you purchased the Cree
23 LED light bulbs, what was your source
24 of income?

25 A I wasn't working, but I

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2 was helping my mom -- and, you know,
3 family had helped me financially.

4 Q Are you alleging in this
5 lawsuit that you have been damaged
6 monetarily?

7 A Yes. Yes.

8 Q In what amount were you
9 damaged monetarily?

10 A Oh, well, you know, it's
11 very expensive bulbs. And you know,
12 after -- after that, I had to buy, you
13 know, different bulbs, you know, as
14 well.

15 Q What did you -- what bulbs
16 did you buy to replace the Cree A-Type
17 lamps? Or bulbs, excuse me.

18 A I just bought the
19 traditional -- for the lamps, the
20 traditional bulbs, and, for the
21 recessed -- my uncle actually got that
22 bulb for me. But it was just your
23 basic -- I -- I don't know what they
24 call -- a flood bulb I think it is
25 called or something. I forget what

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2 issue in this case; is that correct?

3 A Yes.

4 Q How do you know that?

5 A How do I know I used my
6 money?

7 Q Hm-hm.

8 A Oh, because it was my
9 money in my wallet and that's how I
10 know I used it.

11 Q And you previously
12 testified that you did not have a
13 source of income in 2018 other than
14 from your mother and family members?

15 A Yes.

16 Q And you previously
17 testified, didn't you, that you --
18 that your mother would give you money
19 from time to time in the form of cash,
20 correct?

21 A Yes.

22 Q And these light bulbs are
23 installed in your mother's home,
24 correct?

25 A Yes.